GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1193
ANSWERED ON:24.10.2008
INCREASE IN STRENGTH OF JUDGES
Singh Shri Uday

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) The exact strength and vacancy position of judges in High Courts and Supreme Court as on 30 September,2008;

(b) whether the Government proposes to increase the strength of judges in the above Courts and also to fill up vacancies in the near future;and

(c) if so,the details thereof and the time by which it is likely to be done?

Answer

MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ)

(a) Against an approved strength of 26 Judges in the Supreme Court,including the Chief Justice of India, 23 Judges were in position as on 30.9.2008 leaving 3 vacancies to be filled up.In the High Courts,against an approved strength of 886 Judges,620 Judges were in position on 30.9.2008, leaving 266 vacancies to be filled up.

(b)& (c) The Judge strength of the High Courts is reviewed every three years,the last being in the year 2006. In view of the large number of cases pending in the Courts, judge strength of some of the High Courts was reviewed in the years 2007 and 2008 also. As a result of the review in the years 2006, 2007 and 2008. 163 posts of Judges have been created in various High Courts.

As regards the Supreme Court, Government has already introduced `The Supreme Court (Number of Judges) Amendment Bill, 2008` in the Lok Sabha on 29.4.2008. The Bill envisages increase in the Judge strength of the Supreme Court from the present 26 to 31 Judges, including the Chief Justice of India.

Filling up of the vacancies in the Supreme Court and the High Courts is a continuous process, as vacancies keep arising due to retirements, resignation etc. Pursuant to the Supreme Court Judgment of October 6, 1993 in the Supreme Court Advocates-on-Record & Anr. Vs. Union of India, read with the Advisory Opinion of October 28, 1998, the entire process of initiation of proposal for appointment of a Judge of a Supreme Court lies with the Chief Justice of India and for the appointment of a Judge of a High Court, with the Chief Justice of that High Court. Government has been periodically reminding the Chief Justices of the High Courts to initiate proposals for filling up all vacant posts of judges in the High Courts as also those which will be falling vacant during the next six months.The proposals received are processed by the Government promptly for filling up of the vacancies.